

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

UNITED STATES OF AMERICA)	CR. NO. 2:02-181
)	
vs.)	
)	
THEODORE THOMAS WAGNER)	

ORDER FOR PSYCHIATRIC EVALUATION

The above Defendant was recently released from the Bureau of Prisons and is on Supervised Release. While on Supervised Release, the Defendant has exhibited increasingly bizarre behavior. On December 19, 2013, a status conference was held, and the Court observed that the Defendant may presently suffer from a mental disease or defect which would render him mentally incompetent to the extent that he is unable to understand the nature or consequences of the proceedings against him, to assist properly in his defense, and to comply with the terms and conditions of Supervised Release. Furthermore, it is appropriate for an evaluation to take place at FMC Butner, N.C. to determine the existence of insanity as well as to determine whether the Defendant suffers from diminished capacity. Therefore it is

ORDERED pursuant to Title 18 U.S.C. sections 4241, 4242, and 4247(b) and (c), that a psychiatric evaluation shall be conducted in order to examine the Defendant on the issues of competency and sanity and diminished capacity. It is further

ORDERED that the defendant shall report to the Bureau of Prisons for such psychiatric evaluation and treatment. Upon completion of the evaluation, he shall be released and to report to his probation officer. It is further

ORDERED that examination and treatment be conducted by a licensed or

certified psychiatrist or psychologist; and, it is further

ORDERED that upon completion of the examination as is herein requested, the examiner(s) prepare a full report, such report to include all of the following:

- (1) the Defendant's history and present symptoms;
- (2) a description of the psychiatric, psychological and medical tests that were employed and their results;
- (3) the examiner's findings; and
- (4) the examiner's opinion as to diagnosis, prognosis, treatment, and
 - (A) whether the Defendant is suffering from a mental disease or defect rendering him mentally incompetent to understand the nature and consequences of the proceedings, to assist in his defense, and to comply with the terms and conditions of his Supervised Release;
 - (B) whether the Defendant was or is suffering from diminished mental capacity.

It is further

ORDERED that the Defendant be given appropriate treatment, including therapy and/or medication suitable for his condition. Specific orders for his continued care and treatment shall be given to the defendant, his attorney, the Assistant U.S. attorney, U.S. Marshal Service, and such other agencies as are necessary to provide for his treatment. It is further

ORDERED that the report requested herein be filed with this Court and that the Bureau of Prisons provide copies of the report to all counsel of record, as follows:

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Rhett DeHart
Assistant U.S. Attorney
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AND IT IS ORDERED.



PATRICK MICHAEL DUFFY
United States District Judge

This 23rd day of December, 2013
at Charleston, South Carolina